THE HON'BLE SRI JUSTICE N.V. RAMANA

W.P. No. 24679 of 2005

Oral order:

The petitioner is a Driver with the respondents. The petitioner states that he having been declared medically unfit, made several representations, and the latest representation being dated 29.09.2005, requesting the respondents to retire him and settle his retrial benefits, but no action has been taken thereon. Hence, he filed the present writ petition.

The learned Standing Counsel for the respondents submits that in spite of sending notices to the petitioner to appear before the Medical Board to ascertain his fitness and retire him on medical grounds, the petitioner has not appeared before the Medical Board, and to prove that notice, in fact, was sent to the petitioner, the learned Standing Counsel produced copy of the letter dated 25.11.2005 sent to the petitioner by registered post.

Having heard the learned counsel for the petitioner and the learned Standing Counsel for the petitioner, and having regard to the grievance of the petitioner, I deem it appropriate to dispose of the writ petition with the following directions:

The petitioner is directed to approach respondent No.3-Depot Manager, Ranigunj-II Depot, Secunderabad, within a period of one week from the date of receipt of a copy of this order, requesting him to send to the Medical Board for ascertaining his fitness and retirement on medical grounds. On such request being made, respondent No.3 shall make a request to the Medical Board to conduct medical examination of the petitioner, and having regard to the medical report that may be submitted by the Medical Board upon medical examination of the petitioner, take appropriate action. In the event, the medical report states that the petitioner is medically unfit, then the respondents shall retire the petitioner on medical grounds as requested by him, and pay him the retrial benefits, which he is entitled to.

The writ petition is accordingly disposed of. No costs.

N.V. RAMANA, J.

Date: 28th March, 2006.

KSR